

February 28, 2022

VIA ECFS

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Notice of Ex Parte Presentation

Resilient Networks, PS Docket 21-346
New Part 4 of the Commission's Rules Concerning Disruptions to Communications, PS Docket
15-80
In the Matter of New Part 4 of the Commission's Rules Concerning Disruptions to
Communications, ET Docket No. 04-35

Dear Ms. Dortch:

On February 25, the Satellite Industry Association (SIA) virtually met with the Public Safety and
Homeland Security Bureau on the above-referenced docket. Attending on behalf of PSHSB
were: Saswat Mishra, Erika Olsen, and Scott Cinnamon.

Attending the meeting for SIA were: Jennifer Manner, EchoStar; Matthew Sneed, EchoStar;
Cynthia Grady, Intelsat; Noah Cherry, SES; and Therese Jones, SIA.

SIA presented the attached talking points on network resiliency.

Respectfully submitted,

SATELLITE INDUSTRY ASSOCIATION

By: /s/ Tom Stroup

Tom Stroup
President
1200 18th Street, N.W., Suite 975
Washington, D.C. 20036
(202) 503-1560

Attachment

Cc:

Jennifer Manner, EchoStar

Matthew Sneed, EchoStar

Cynthia Grady, Intelsat

Noah Cherry, SES

Therese Jones, SIA

Network Resiliency Is Critical but the FCC Must Adopt Rules Based on Notice and Comments Rulemaking and Should Not Implement Unnecessary Regulations

(PS Docket Nos. 21-346 and 15-80; ET Docket No. 04-35)
February 25, 2022

- The Satellite Industry Association (SIA) supports the FCC's objective of strengthening communications networks through provider cooperation. Network outages caused by natural disasters or other events pose serious safety concerns and endanger those who may need emergency services. SIA's members support users across the country during times of emergency by providing resilient network solutions.
- While, SIA supports the FCC's efforts at improving network resiliency, it must be done based on a full record and should not result in the adoption of requirements that are not appropriate for the technology being regulated.
- The FCC's NPRM fails to provide meaningful notice and comment, as required under the Administrative Procedure Act¹, on implementation of the FCC's NORS and DIRS proposals. For example, the proposal to include broadband outage reports as part of NORS is six years old and fails to include what threshold requirements would trigger the report.² As the FCC is aware, satellite technology has drastically changed over the past few years, and its rules must reflect these changes. Additionally, without proposals on triggers for broadband outages reports, the industry is unable to evaluate the feasibility of submitting the required reports.
- Moreover, while the FCC has adopted DIRS on a voluntary basis for satellite, it should not switch to mandating DIRS reporting without clearly indicating what satellite operators would be required to submit. The FCC should provide a sample template of data that would be required so that industry can provide meaningful comments on the viability of submitting required information for DIRS.
- SIA is pleased to see the success of the Wireless Resiliency Framework for the wireless industry, but is concerned about expanding it to satellite providers. The significant differences between wireless and satellite technology renders the Framework inapplicable to satellite technology; therefore, it should not be included. For example, satellite networks do not roam among other networks and its technology makes it difficult, if not impossible, to share terrestrial infrastructure such as gateways.

¹ See 5 U.S.C. § 553(b).

² See *Resilient Networks et al.*, Notice of Proposed Rulemaking, PS Dkt. Nos. 21-346 and 15-80 and ET Docket No 04-35 (2021) at para 30; see also *Amendments to Part 4 of the Commission's Rules Concerning Disruptions to Communications*, Report and Order, Further Notice of Proposed Rulemaking, and Order on Reconsideration, 31 FCC Rcd 5817, 5863-76 (2016).

- Of equal importance, the satellite industry has a long history of supporting one another during emergencies. For example, when an operator faces capacity issues due to network failure, other operators supply the operator in need with additional capacity until the affected network resumes operations. The satellite industry is committed to working together to meet the demands of emergencies, including network outages.
- SIA supports strengthening the nation's communications networks and its members look forward to continuing their role in supporting those networks. For the reasons set forth above, the FCC should seek additional comment with detailed proposals for NORS and DIRS that allow commenters to provide meaningful input. Additionally, the FCC should not expand the scope of the Framework because the Framework does not apply to technologies other than wireless and the satellite industry already successfully works together during emergencies.